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Filing date: **09/29/2020**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92025859
Party	Defendant General Cigar Co., Inc.
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Signature	/Andrew L. Deutsch/
Date	09/29/2020
Attachments	McKee Declaration - Public.pdf(262764 bytes) McKee Annex A - Public Version.pdf(3255392 bytes) McKee Annex B.pdf(745727 bytes)

REDACTED - PUBLIC VERSION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 1147309

For the mark COHIBA

Date registered: February 17, 1981

AND

In the matter of the Trademark Registration No. 1898273

For the mark COHIBA

Date registered: June 6, 1995

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EMPRESA CUBANA DEL TABACO, d.b.a.	:	
CUBATABACO,	:	
	:	
Petitioner,	:	
	:	Cancellation No. 92025859
v.	:	
	:	
GENERAL CIGAR CO., INC.,	:	
	:	
Respondent.	:	
	:	
-----	X	

DECLARATION OF VICTORIA McKEE JAWORSKI

VICTORIA McKEE JAWORSKI declares under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am an independent consultant for General Cigar Co., Inc. (“Respondent” or “General Cigar”), and have held this position since February 2019. Prior to this position, I was employed by General Cigar for approximately sixteen years (from 2002 to January 2019). I have personal knowledge of the facts set forth below, and if called upon to testify, I could and would do so competently.

2. I am a 1994 graduate of Towson University with a Bachelor of Arts degree in Communications. Immediately prior to beginning work at General Cigar, from around 1996 to 2001, I worked at an agency named Danlee Public Relations, first as a public relations manager and then ultimately the vice president of the agency. Our clients were mainly in the wine and spirits industry, and included Jameson Irish Whiskey, Wild Turkey Bourbon, Aberlour Scotch, and Jacobs Creek Wines. In 2001, I left Danlee Public Relations after the agency downsized.

3. I started work at General Cigar in September 2002, initially as the public relations manager. In that role, I reported to the vice president of marketing at General Cigar. My job responsibilities as public relations manager included media relations, such as drafting press releases, contacting media, and pitching articles, and to a lesser extent, corporate communications.

4. Around 2005, I became the director of public relations and experiential marketing, still reporting to the vice president of marketing at General Cigar. I held this title, as well as additional titles and responsibilities, including for example director of public relations and digital media, for the remainder of my employment at General Cigar.

5. In both my positions as public relations manager and then later as director of public relations, I was part of the marketing department at General Cigar.

6. In my position as director of public relations, and continuing to the present in my role as an independent consultant, my job responsibilities included media relations, such as drafting press releases, contacting media, and pitching articles, and to a lesser extent, corporate communications, as well as overseeing General Cigar's events team and experiential platform. As part of drafting press releases, I communicated on brand initiatives or brand news, and I also communicated on counterfeiting with the cigar and general media.

7. In my position as director of digital media, I was the creator and editor of General Cigar's Cigar World website at www.cigarworld.com ("Cigar World Website"), which provides information about premium cigars to consumers. General Cigar relaunched the Cigar World Website around 2011, and it was about that time that the site allowed third parties to post user-generated content ("UGC"). Like many companies on the web, General Cigar allowed fairly free posting to its website and did not typically purge UGC.

8. My job responsibilities as director of digital media included overseeing UGC on the education and CW Magazine (lifestyle) sections of the Cigar World Website, and had the power to approve or not approve the UGC. I personally oversaw the section of the Cigar World Website with user-generated photographs. In accordance with General Cigar's policy, my main criteria when reviewing UGC on the Cigar World Website was to make sure that the content (both text and photographs) was not offensive (such as inflammatory, insulting, or racist) or profanity. I also reviewed the content to remove UGC that referenced or showed Cuban cigars. For example, if someone posted a photograph of a Cuban cigar, then if I found the photograph, I removed it. It was rare that any UGC referenced Cuba, and if any such content appeared, it would have been in the user-generated photograph section. I also do not recall seeing on the Cigar World Website any UGC depicting Cubatabaco's Cuban Cohiba cigar.

9. A third-party agency, Moosylvania, managed the Cigar World Website, beginning sometime after the relaunch of the Website. Prior to my taking over responsibility for review of UGC, Moosylvania had the job of reviewing UGC and highlighting posts that were consistent with General Cigar's corporate policies as well as posts that were in line with brand positioning.

10. In my position as director of digital media, I was also the creator and editor of the www.cohiba.com website, which launched in the first quarter of 2015. I worked with the brand team for COHIBA, including Steve Abbot, then brand manager for COHIBA, and Moosylvania to develop content and source imagery for the website.

11. In addition, my job responsibilities as director of digital media included working closely with General Cigar's brand ambassadors. Specifically, around 2016, I developed the training for the brand ambassadors, including the brand ambassador for the COHIBA cigar. As part of this role, I reviewed what the brand ambassadors were posting on social media to make sure it was in line with how General Cigar wished to be represented. As of around 2017, General Cigar had five brand ambassadors, each assigned to a brand. Beginning around 2017, Sean Williams became the first brand ambassador for General Cigar's COHIBA cigars and remains the brand ambassador for COHIBA.

12. I have worked on General Cigar's COHIBA cigar since 2002. My work for the COHIBA brand has been consistent with my role in public relations: drafting press releases, announcing new products, occasionally selecting events to feature the COHIBA brand, and announcing brand news or key brand initiatives, primarily to cigar media. Interacting with the cigar media was and still is a very big part of my work with respect to General Cigar's cigar brands, including COHIBA.

13. In General Cigar's press releases and on its websites, as well as in its annual trade show materials including product descriptions, we have always clearly specified that General Cigar's COHIBA cigars are handmade in the Dominican Republic, Nicaragua, or Honduras, and have noted the countries of origin of all of the tobaccos included in each particular line of COHIBA cigars. In communicating with and describing the COHIBA brand cigars to the press and public, General Cigar has always been consistently clear that these cigars are handmade in the Dominican Republic, or in the case of COHIBA NICARAGUA, Nicaragua. We have always specified the countries of origin of each of the tobaccos that go into the COHIBA cigars. Our promotional material has often referenced the particular name of the factory where the cigars are made, for example, General Cigar Dominicana.

14. In promoting General Cigar's cigars in the cigar media, I have worked with *Cigar Aficionado*, *Tobacconist*, *Smoke Magazine*, *Cigar Snob*, *Cigar Journal*, *Cigars & Leisure*.

15. As part of my job, I personally review cigar magazines such as *Cigar Aficionado*, *Tobacconist*, *Smoke Magazine*, *Cigar Snob*, *Cigar Journal*, *Cigars & Leisure*, non-cigar magazines such as *Worth* and *Robb Report*, and magazines published outside of the United States, such as *Cigar Journal*, to see what is being said about the COHIBA and General Cigar's other cigar brands. I monitor the ratings of General Cigar's COHIBA cigar in the cigar media.

16. As part of my interactions with cigar media, I also interact with the bloggers who run approximately seventy-five cigar blogs, the top level of which include Halfwheel, Stogie Guys, Cigar Coop, Cigar Federation, Cigar Craig, Developing Palates, and Nice Tight Ash. I reach out to the bloggers when there is news to announce.

17. I was also responsible for running all event platforms for General Cigar. Beginning around 2015, I was responsible for developing strategic plans for events, identifying events where

General Cigar would participate and overseeing the execution of the events. These events would have included roughly five or six a year featuring General Cigar's COHIBA cigar, including films festivals, such as the Sundance Film Festival, and luxury events in the Hamptons. General Cigar participated in various luxury events each year, depending on the yearly budgets and a number of other factors. In addition, General Cigar has hosted journalists, cigar bloggers, and retailers at its factory in the Dominican Republic, General Cigar Dominicana. I am responsible for organizing these events, as well. Among other things, attendees are given an opportunity to tour the factory. These visits are intended to educate attendees regarding the cigars made at the factory, including the Dominican-made COHIBA products. I also had oversight of the activities of all brand ambassadors for General Cigar's cigars.

18. At various points in times throughout my tenure at General Cigar, I was also responsible, in conjunction with the brand manager and Moosylvania, for General Cigar's digital media channels, including those for its COHIBA cigars. General Cigar's COHIBA digital channels included the www.cohiba.com website, and General Cigar's social media accounts, primarily on Facebook. This task included overseeing the development of the content and providing overall direction on content strategy consistent with brand positioning. Moosylvania initially developed the COHIBA digital content, but starting around late 2015 or 2016, the brand team at General Cigar shared responsibility. When I was responsible for this function, I would have overseen all digital media posts prepared by Moosylvania. Moosylvania provided reports on its activity on General Cigar's social media accounts.

19. Similar to the Cigar World Website, General Cigar tasked Moosylvania (along with General Cigar's COHIBA brand manager) with monitoring UGC and highlighting posts on General Cigar's COHIBA social media pages, to determine that they were consistent with General

Cigar's corporate policies as well as in line with COHIBA brand positioning. General Cigar would only have been aware of problems with UGC on General Cigar's social media pages if Moosylvania raised such issues to me or the COHIBA brand manager at the time.

20. Throughout my employment at General Cigar, I was informed about instances of counterfeiting, trademark infringement, and enforcement efforts relating to protecting General Cigar's marks. I recall in particular an internal briefing in 2004 or 2005 with General Cigar's top principals on its anti-counterfeiting efforts. This was an extensive presentation that lasted for several hours and explained what had been done and was being done regarding enforcement.

21. As part of its trademark enforcement efforts, General Cigar has a robust counterfeit program. It is committed to protecting its intellectual property rights and to prosecuting those who intentionally make false representations to consumers regarding the COHIBA brand. General Cigar regularly engaged in extensive joint efforts conducted by its field sales team and a special task force retained by the company as part of its ongoing nationwide effort to aggressively investigate, pursue, and eliminate counterfeit and infringing versions of its products from the marketplace. General Cigar devotes significant resources to protecting the COHIBA brand, which is a frequent target of cigar counterfeiters.

22. Some examples of General Cigar's anti-counterfeiting efforts, which were featured in its press releases as well as in the general media include:

- a. in 2006, General Cigar filed a federal lawsuit in United States District Court for the District of Nevada against Cohiba Caribbean's Finest cigars and rum for counterfeiting of the COHIBA cigar;

- b. also in 2006, General Cigar filed a federal lawsuit in United States District Court for the Southern District of Georgia against “Big Dog Cigars,” among others, for counterfeiting COHIBA cigars;
- c. in 2011, federal and state law enforcement officials seized 3,000 counterfeit COHIBA cigars with an estimated \$60,000 retail value in Key West, Florida from seven retail stores;
- d. in 2012, a team of special agents from the Miami office of the Florida Division of Alcoholic Beverages & Tobacco (“Florida ABT”) seized over 100,000 counterfeit COHIBA cigars with an estimated retail value in excess of \$200,000 from two retail stores; and
- e. in 2015, special agents from the Florida ABT seized counterfeit COHIBA cigars with estimated retail value in excess of \$100,000, and tens of thousands of counterfeit cigar bands and boxes.

23. General Cigar has also worked closely with United States Customs and Border Protection (“CBP”) for numerous years in connection with the seizure of counterfeit COHIBA cigars, boxes, ashtrays, lighters, and cigar cutters.

24. Shortly after I joined General Cigar, I was informed of the long-running litigation between General Cigar and Empresa Cubana del Tabaco d.b.a. Cubatabaco (“Petitioner” or “Cubatabaco”) over ownership of the U.S. trademarks for COHIBA.

25. Over the years, General Cigar has issued a number of press releases publicizing its litigation victories, both against Cubatabaco and third parties infringing on our COHIBA mark, as well as anti-counterfeiting efforts and successful seizures of counterfeits. I was responsible for publicizing General Cigar’s enforcement and litigation successes.

26. Attached as **Annex A** are true and correct copies of press releases that General Cigar has issued over several years publicizing General Cigar's enforcement of our rights to the trademark COHIBA in the United States by pursuing counterfeiters and infringers, emails between General Cigar and CBP relating to seizures, and third-party articles from the cigar and general media regarding same.

27. Attached as **Annex B** are true and correct copies of press releases that General Cigar has issued over several years publicizing General Cigar's dispute with Cubatabaco over rights to the trademark COHIBA in the United States, and third-party articles from the cigar and general media regarding same.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 24, 2020.



VICTORIA MCKEE JAWORSKI

CERTIFICATE OF SERVICE

I hereby certify that on this date I have caused to be served a true and correct copy of the foregoing **DECLARATION OF VICTORIA McKEE JAWORSKI** by transmitting copies by email to Petitioner's counsel:

Michael R. Krinsky
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Attorneys for Petitioner
Empresa Cubana del Tabaco d.b.a. Cubatabaco

Date: September 28, 2020

/s/ Andrew L. Deutsch
Andrew L. Deutsch
Attorney for Respondent
General Cigar Co., Inc

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 1147309
For the mark COHIBA
Date registered: February 17, 1981

AND

In the matter of the Trademark Registration No. 1898273
For the mark COHIBA
Date registered: June 6, 1995

-----	X	
EMPRESA CUBANA DEL TABACO, d.b.a.	:	
CUBATABACO,	:	
	:	
Petitioner,	:	
	:	Cancellation No. 92025859
v.	:	
	:	
GENERAL CIGAR CO., INC.,	:	
	:	
Respondent.	:	
	:	
-----	X	

**Victoria McKee Jaworski
Annex A**

Redacted Public Version

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[Home](#) » [General Articles](#) » [Thousands of Counterfeit Cohibas Seized by General Cigar Company](#)

December 19, 2011 0 Comment 1 Cigaranado

Like { 3 } G+1 { 3 }



Most of the information that I cover in this blog is limited to reviews of cigars, humidors, and the dispensation of practical advice regarding the wonderful world of cigars. However, many cigar smokers are unaware of how serious the problem of counterfeit cigars seriously is. A recent press release by Business Wire revealed that more than 3,000 counterfeit Cohiba cigars were recently seized off of the coast of Florida. These cigars had a street value of more than \$60,000.00 U.S. dollars.

The seizure of these cigars, which prevented them from making their way into the humidors of cigar aficionados, was trumpeted as a decisive victory in General Cigar's attempt to fight counterfeiting of their products. Working in conjunction with federal and state officials and prosecutors, General Cigar Co. plans to bring those who are responsible for this contraband to justice. Personally, upon reading this new release, I felt overjoyed. General Cigar Co. Cohibas are the only cigars from this brand that you can legally obtain in the United States for your humidors. It goes without saying that these cigars are pretty enjoyable as well. However, reading this article made me wonder just how many counterfeit cigars an individual comes across, especially on such a large scale. Upon further investigation, what I found truly surprised me.

As I began reading various articles on counterfeit cigars, I discovered that in 2009, more than 18 brands of counterfeit Cuban cigars and 4 brands of Dominican Republic cigars were seized. All in all, the street value of the cigars seized alone in 2009 amounted to nearly 1 million dollars. I can only imagine how many cigars smokers paid \$20.00 per cigar, only to be disappointed by the quality of the cigar that they were smoking. Who knows how many counterfeit cigars were slipped into the United States undetected?

How do you manage to tell a counterfeit cigar from the genuine item? Much of your discernment will come with time and experience. However, the number one manner of protecting yourself from counterfeits is to purchase your cigars from reputable sources only. The price of a cigar can also be an indicator. For example, if you see a "Cuban" cigar that should be selling for \$50.00 a stick, priced at only \$10.00, the chances are that you're dealing with a forgery. Another giveaway is the appearance and construction of the cigar. Often times, counterfeit cigars will not be uniform in color. The wrapper leaf can also be quite veiny and rough in texture and appearance.

So big congratulations should be extended to General Cigar Co. for the excellent work they are doing in protecting their clientele. For my fellow cigar aficionados, I believe that it is important for us as a collective to take steps to educate ourselves about how to identify counterfeit cigars, so that we do not unwittingly assist these unscrupulous individuals. After all, the confidence in our ability to enjoy a good cigar is something that we hold dearly.

CATEGORIES

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Incoming search terms:

cigar

Posts related to Thousands of Counterfeit Cohibas Seized by General Cigar Company



[A Brief History of Cigars](#)

In America, cigars have an interesting and varied history. Tobacco was not discovered until 1492 when Columbus first discovered the Americas. By the end of ...



[A Brief History of Cigar Taxes In the United States](#)

Recently, there has been an uprising amongst cigar aficionados protesting new legislation, restrictions, and taxes on cigars. This is a hot button issue that never ...



[The Ban On Cuban Cigars Turns 50](#)

If you are like other cigar aficionados, then you have probably dreamed of adding premium, authentic Cuban cigars to your humidor. For right now, this ...



[Cigar Ring Gauge Guide](#)

The cigar ring gauge guide is a reliable source of information that educates an individual about how to select a cigar ring. Essentially, the ring ...

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This post was posted in [General Articles](#)

For Immediate Release

October 9, 2007

Contact: Victoria McKee

General Cigar Co., Inc.

732.580.5215 or 201 575 0230

vmckee@gcigar.com

GENERAL CIGAR SETTLES SUIT INVOLVING INFRINGEMENT OF ITS COHIBA® TRADEMARK

Richmond, VA--General Cigar Co. Inc. announced today that the company has reached resolution of a federal trademark lawsuit which alleged infringement of its COHIBA trademark.

The suit was filed in May 2006 in the United States District Court for the Southern District of Georgia against defendants Southern Smoke LLC; Corner Cigars Distributing Inc.; Big Dog Cigars LLC, Seminole Cigar Factory and others.

In resolving the lawsuit, the defendants acknowledged that the "yellow band" COHIBA cigars at issue constituted infringement of General Cigar's COHIBA trademark of cigars in the United States. In addition, the defendants agreed to deliver to General Cigar for destruction approximately 10,000 yellow band COHIBA cigars. The defendants also agreed to cooperate with General Cigar in its ongoing efforts to identify sources engaged in infringement of COHIBA cigars in the United States. Finally, the defendants consented to entry of a permanent injunction against the sale, marketing, distribution or other use of the COHIBA name in the United States on goods not manufactured by General Cigar and will pay General Cigar a cash settlement of an undisclosed amount.

Daniel Nuñez, president and chief operating officer of General Cigar, commented, "We are very pleased with the outcome of this case."

Nuñez continued, "This case is another step in our ongoing efforts to stop the sale and marketing of cigars which infringe upon our federally protected trademark rights."

In the lawsuit, General Cigar alleged that the defendants infringed the company's COHIBA trademark in violation of federal and state law by selling and distributing cigars bearing the COHIBA name that were not manufactured by General Cigar. The infringing cigars were sometimes referred to as "yellow band COHIBA" cigars and, like General Cigar's COHIBA cigars, were manufactured in the Dominican Republic.

The lawsuit was the result of an extensive joint effort conducted by General Cigar's field sales team and a special task force retained by the company as part of its ongoing, nationwide effort to aggressively investigate, pursue and eliminate such infringing products from the marketplace.

In February of 2005, a federal court confirmed General Cigar's ownership of the COHIBA mark in the United States.

General Cigar's collection of premium COHIBA cigars is handcrafted in the Dominican Republic and is a favorite among cigar connoisseurs. In addition to the COHIBA base brand, General Cigar manufactures and markets COHIBA XV which was introduced in 2001 and COHIBA Black which debuted last year.

About General Cigar

General Cigar, a subsidiary of Swedish Match A.B., manufactures and markets handcrafted cigars for the premium market. Committed to delivering cigars of the finest quality, General Cigar produces Macanudo®, Partagas®, COHIBA®, Punch®, Excalibur®, Hoyo de Monterrey®, La Gloria Cubana® and several other leading premium brands. In addition, the company grows its own premium Connecticut Shade wrapper tobacco, as well as natural and candela wrapper in the Dominican Republic. General Cigar also operates Club Macanudo®, a cigar bar in New York City. Based in Richmond, Virginia, General Cigar sells through tobacconists nationwide. For more information, please visit www.cigarworld.com

®COHIBA, Macanudo, Partagas, Punch, Excalibur, Hoyo de Monterrey, La Gloria Cubana and Club Macanudo are registered trademarks of General Cigar Co., Inc.

#



FOR IMMEDIATE RELEASE

November 9, 2011

Contact: Victoria McKee Jaworski

General Cigar Co. Inc.

victoria.mckee@st-group.com

Phone: 732 721 0317 or 732 580 5215

COUNTERFEIT COHIBA CIGARS SEIZED IN KEY WEST

Richmond, VA—General Cigar announces that federal and Florida state law enforcement officials yesterday seized more than 3,000 counterfeit COHIBA® cigars from seven tobacco retail stores located in prime tourist areas of Key West, Florida.

Individual cigars were sold at approximately \$20 apiece. Based on current estimates, the approximate street value of goods seized was more than \$60,000.

The counterfeit cigar seizures followed a lengthy investigation conducted in cooperation with General Cigar Company, which is the exclusive owner of the COHIBA trademark in the U.S. The lead law enforcement agency for yesterday's seizures was the U.S. Homeland Security Investigations, assisted by U.S. Customs and Border Protection, the Florida Alcoholic Beverages & Tobacco Bureau of Law Enforcement, and the Florida Department of Law Enforcement.

Dan Carr, president of General Cigar said, "The seizure of bogus COHIBA cigars yesterday represents a clear victory in General Cigar's fight to protect our cigar bands from counterfeiters and trademark infringers. We look forward to continuing to cooperate with federal and state law enforcement officials in Florida and have offered to assist as the prosecution proceeds."

About General Cigar

General Cigar Co. Inc., a division of Scandinavian Tobacco Group, manufactures and markets handcrafted cigars for the premium market. Committed to delivering cigars of the finest quality, General Cigar's skilled artisans produce Macanudo®, COHIBA, La Gloria Cubana®, CAO, Partagas®, Punch®, Hoyo de Monterrey®, Excalibur® and several other leading premium brands in the company's Dominican, Honduran and Nicaraguan factories.

In addition, the company cultivates proprietary tobacco which is used exclusively in its blends. General Cigar also operates Club Macanudo®, a cigar bar in New York City. Based in Richmond, VA, General Cigar sells through tobacconists nationwide and also exports select products to 62 countries. For more information, please visit www.cigarworld.com.

® COHIBA, Macanudo, La Gloria Cubana, Partagas, Punch, Hoyo de Monterrey, Excalibur and Club Macanudo are registered trademarks of General Cigar Co. Inc.

#

For Immediate Release

July 10, 2008

Contact: Victoria McKee

General Cigar Co. Inc.

732.721.0317 or 732.580.5215

vmckee@gcigar.com

**GENERAL CIGAR PREVAILS IN TRADEMARK INFRINGEMENT AND
COUNTERFEITING SUIT RELATING TO
"COHIBA Caribbean's Finest" CIGARS AND RUM**

Richmond, VA — General Cigar Co. Inc. announced today that the United States District Court for the District of Nevada has ruled in its favor, granting its motion for summary judgment, awarding damages and permanently prohibiting the import, marketing, distribution and sale of infringing "COHIBA Caribbean's Finest" cigars and rum.

General Cigar prevailed on its claims which held the defendants liable for trademark infringement, dilution, counterfeiting, unlawful importation, unfair competition and cybersquatting. As a result, the court awarded General Cigar a permanent injunction, plus compensatory and treble damages.

According to Gerry Roerty, vice president and general counsel of General Cigar, "As the only legitimate owner of the COHIBA® mark in the U.S., we were confident that we would prevail in this case. We believe that the District Court of Nevada's ruling sends a strong message to those who continue to make false representations to consumers regarding the COHIBA® brand."

The granting of General Cigar's summary judgment motion resolves a lawsuit it commenced in 2006 as part of the company's ongoing nationwide efforts to aggressively investigate, pursue and eliminate infringing and counterfeit versions of its products from the marketplace.

General Cigar continues to retain a special task force consisting of attorneys and a team of private investigators from across the United States to assist it in its trademark enforcement efforts.

General Cigar is represented by William W. Robertson, John F. Olsen and Owen J. McKeon of Robertson, Freilich, Bruno & Cohen, LLC of Newark, New Jersey and Kristina M. Pickering of Morris Pickering & Peterson of Las Vegas, Nevada.

COHIBA® premium cigars are handcrafted in the Dominican Republic and are a favorite among cigar connoisseurs.

About General Cigar

General Cigar Co. Inc., a subsidiary of Swedish Match, manufactures and markets handcrafted cigars for the premium market. Committed to delivering cigars of the finest quality, General Cigar produces Macanudo®, Partagas®, COHIBA®, Punch®, Excalibur®, Hoyo de Monterrey®, La Gloria Cubana® and several other leading premium brands. In addition, the company grows its own premium Connecticut Shade wrapper tobacco, as well as natural and candela wrapper in the Dominican Republic. General Cigar also operates Club Macanudo®, a cigar bar in New York City. Based in Richmond, Virginia, General Cigar sells through tobacconists nationwide. For more information, please visit www.cigarworld.com

® COHIBA, Macanudo, Partagas, Punch, Excalibur, Hoyo de Monterrey, La Gloria Cubana and Club Macanudo are registered trademarks of General Cigar Co. Inc.

#

October 3, 2006

Dear Valued Customer:

I am writing to inform you of a significant development in General Cigar Co. Inc's concerted effort to prosecute those who violate our trademark, adversely affect your business and erode the prestige of the premium cigar industry by selling counterfeit COHIBA® cigars in the U.S.

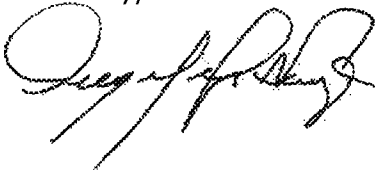
On September 14, 2006, General Cigar filed a lawsuit in the United States District Court for the Southern District of Georgia against a group of defendants, often identified as "Big Dog Cigars," for counterfeiting the COHIBA brand. The counterfeits at issue in this lawsuit are often referred to as "Yellow Band" COHIBA and ship out of a distribution facility located in St. Simons Island, Georgia.

On September 25, 2006, U.S. District Court Judge Anthony A. Alaimo entered a Preliminary Injunction, on consent. The Preliminary Injunction prohibits the defendants who consented to its entry, and all persons acting in concert with them, from importing, manufacturing, selling, distributing, advertising and/or promoting cigars and other tobacco products bearing or using the COHIBA trademark. In light of the court's Preliminary Injunction, General Cigar is confident that the sale of "Yellow Band" COHIBA emanating from St. Simons Island will cease.

We ask that you continue to assist us in our attempts to identify and bring to justice those who willingly engage in the business of manufacturing or selling counterfeit COHIBA cigars. If you have any information to report, please contact your General Cigar premium sales manager.

We will continue to work to dry up the chain of supply and distribution of counterfeit cigars and to protect the integrity of the premium cigar business.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Núñez", with a stylized flourish at the end.

Daniel Núñez
President and Chief Operating Officer
General Cigar Co., Inc.

General Cigar chases alleged counterfeiters

General Cigar Co. has announced that it has filed suit in the United States District Court for the District of Nevada seeking damages and a preliminary injunction against seven defendants who market and distribute "Cohiba Caribbean's Finest" cigars.

The counterfeiting operations of Cohiba Caribbean's Finest were discovered through months of joint efforts by General Cigar's field sales and a special task force retained by the company as part of an ongoing, nationwide effort to aggressively investigate, pursue and eliminate such counterfeit products from the marketplace.

Gerry Roerty, vice president and general counsel of General Cigar, commented, "This initiative is part and parcel of an assertive effort to address a pernicious problem [that] infringes and dilutes General Cigar's strong and distinctive Cohiba trademark. As the only legitimate owner of the Cohiba mark in the U.S., we are committed to protecting our rights and to prosecuting those who intentionally make false representations to consumers regarding the Cohiba brand."

Norman F. Sharp, president of the Cigar Association of America, said, "Counterfeit cigars erode the prestige, profitability and reputation of the handmade premium cigar industry. While there

is no reliable data available on the volume of counterfeit cigars being sold in the U.S., recent crackdowns have indicated that the problem is much larger than even industry insiders had estimated ... It is an alarmingly profitable business for counterfeiters."

The marketing practices of Cohiba Caribbean's Finest suggest they are aware of General Cigar's exclusive ownership of the Cohiba trademark. The counterfeit cigars prominently use General Cigar's Cohiba trademark and copy the bold black uppercase font.

Cohiba Caribbean's Finest has attempted to gain registration of the Cohiba Caribbean's Finest brand as a trademark for cigars under both state and federal law. In addition, the company has actively attempted to secure distribution of Cohiba Caribbean's Finest cigars to customers of General Cigar.

In February of 2005, a United States Circuit Court of Appeals confirmed General Cigar's exclusive ownership of the Cohiba mark in the United States.

Roerty remarked, "Considering the aggressive marketing and distribution tactics of Cohiba Caribbean's Finest, we felt it was time to take immediate legal action against them."

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From: webmaster@cigarworld.com
Sent: Tuesday, August 25, 2015 7:55 PM
To: Steve Abbott <Steve.Abbott@st-group.com>
Subject: FW: New Contact Form submitted on Cigarworld.com

-----Original Message-----

From: webmaster@cigarworld.com
Sent: Friday, August 14, 2015 11:27am
To: webmaster@cigarworld.com
Subject: New Contact Form submitted on Cigarworld.com

New contact form submission from Cigarworld.com:

Name: Luis Sepulveda
Email: luis_sepulveda@comcast.net
Phone: 916-849-9313
Type: Technical

Best time to contact back:

How do I know that I am not purchasing counterfeit Republica Dominican Cohiba cigars?

You can manage contacts at <http://www.cigarworld.com/admin/contacts/>

THAT'S NOT A REAL COHIBA

And Owen McKeon would know

Published in 2009 New Jersey Super Lawyers — April 2009
by [Nick Fauchald](#)

In the late 1990s, during the height of the stogie boom, Owen McKeon managed a cigar shop in Boston. On more than one occasion he was approached by a salesman offering suspicious-looking Cohibas. But McKeon could spot a fake. No sale. And little did he know that only a few years later, after he graduated from law school, he'd be a cigar counterfeiter's worst nightmare.

McKeon, a commercial litigator at Newark-based Robertson, Freilich, Bruno & Cohen, is the guy cigar companies call when fake stogies are on the market. His first tobacco victory came in 2002, a year after he joined the firm. His client, the Stockholm-based tobacco giant Swedish Match, won a \$200 million antitrust settlement against U.S. Smokeless Tobacco Co. That case taught him the inner workings of the tobacco business. And when Swedish Match acquired General



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owned by Cubatabaco. These Cuban cigars are contraband in the U.S.—at least until the embargo is lifted.

But it doesn't matter: You mess with one Cohiba, you mess with them all.

"Cigars are easier to counterfeit than, say, Louis Vuitton handbags or Tiffany necklaces," he says. "And, as with most luxury goods, you're selling a brand. If people buy a low-quality knockoff thinking it's the real thing, the brand's reputation is diminished."

McKeon works with a network of shop owners, salespeople and private investigators to identify fakes and pinpoint their source. "Sometimes it's just a guy with a garage full of phony cigars," he says. "He usually cooperates, to avoid a lawsuit. The bigger challenge is the counterfeiter who's sophisticated."

To take down major infringers, many of whom operate on the Internet, McKeon works with local law enforcement. "Sometimes a civil suit makes more sense, and sometimes you have to build a criminal case," he says. Last July, McKeon helped General Cigar stop a Nevada businessman from using the Cohiba name on his line of cigars and rum.

When criminal action is necessary, McKeon draws from his experience working in the Manhattan district attorney's office. "IP enforcement feels a lot like prosecutorial work. Your goal is to develop evidence through an investigation, then hand it off to a prosecutor; in other cases it's a civil suit but looks like a prosecution investigation," he says.

There are two boxes of cigars in McKeon's office. One is filled with Cohibas—or so it seems. "These are fakes," he says, from a case he's currently working on. The other is a desktop humidor filled with top-shelf smokes—McKeon's own stash. "I have another humidor at home with 5,000 sticks in it. My line of work is especially fun because I love cigars," he says.

For him, there is nothing better at the end of a day. "A cigar is an experience," he says. "In this profession, my wife likes to joke, the negative side of smoking is offset by the relaxation it brings—in my

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- TMA Newsletter (attached)
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- Tiny Tim's Cigar Blog <http://tinytimblog.blogspot.com/2011/11/counterfeit-cohiba-cigars-seized-in-key.html>
- JR Cigar Blog <http://blog.jrcigars.com/?p=7342#more-7342>
- <http://www.topix.com/city/key-west-fl/2011/11/general-cigar-announces-counterfeit-cohiba-cigars-seized-in-key-west>

General Cigar Works with Homeland Security to Thwart ...

General Cigar is having a busy week this week. First they introduced a new VP of Marketing and now they are teaming up with Homeland Security to help thwart.

cigarbrief.com/cigars/general-cigar-thwarts.../2643/

General Cigar Announces Counterfeit COHIBA Cigars Seized in Key ...

BUSINESS WIRE)— General Cigar announces that federal and Florida state law enforcement officials yesterday seized more than 3000 counterfeit COHIBA® ...

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Stogie Guys Friday Sampler No. 264

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General Cigar, which owns the Cohiba trademark in the US, issued a press release on Thursday, explaining that the counterfeit smokes were being sold for ...

General Cigar Announces Counterfeit COHIBA Cigars ... - Reuters

General Cigar Announces Counterfeit COHIBA Cigars Seized in Key West.
www.reuters.com/.../idUS25019+10-Nov-2011+BW20111110

General Cigar Announces Counterfeit COHIBA Cigars Seized in Key West

EON: Enhanced Online News

(EON: Enhanced Online News)--**General Cigar** announces that federal and Florida state law enforcement officials yesterday seized more than 3000 counterfeit ...

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BusinessWire General Cigar Announces Counterfeit COHIBA Cigars ...

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General Cigar Announces Counterfeit COHIBA Cigars Seized in Key ...

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finance.yahoo.com/.../General-Cigar-Announces-bw-2452494...

General Cigar Announces Counterfeit COHIBA Cigars Seized in Key ...

RICHMOND Va Nov 09 2011BUSINESS WIRE **General Cigar** announces that federal and Florida state law enforcement officials yesterday seized more than 3000 ...

www.marketwatch.com/.../general-cigar-announces-counterfei...

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Date, 2006

This ANR as written is exactly :60 seconds long - the maximum length radio stations will accept. You may edit or change this script as you like, however, for every line/word added, a line/word must be deleted. Excluding the Anchor Lead, the Script/Cut/Script/Cut/Script portion, including the disclosure tag, must not exceed 12 full lines in order to meet the :60 second requirement.

ALLEGED CIGAR COUNTERFEITERS TAKEN TO COURT

ANCHOR LEAD: Be careful, that fine cigar you're smoking may not be what it seems. Several defendants accused of marketing and distributing counterfeit premium cigars are now being taken to court thanks to the efforts of a task force assembled by a major manufacturer. More now from (reporter name).

SCRIPT: Newsbreak, I'm (reporter name). Is that premium cigar you're smoking really just a counterfeit stogie? It may be, according to the General Cigar Company who is filing a lawsuit in a Nevada U-S District Court. They say seven defendants who market and distribute "COHIBA Caribbean's Finest" cigars are blatantly infringing on their trademarked brand. Gerry Roerty, Vice President and General Counsel of General Cigar.

CUT: (Roerty) As the only legitimate owner of the COHIBA® mark in the U.S., we are committed to protecting our rights and to prosecuting those who intentionally make false representations to consumers regarding the COHIBA® brand."

SCRIPT: Roerty says the counterfeiting was discovered after months of effort by General Cigar's field sales and a special task force retained by the company. Unfortunately some damage had already been done.

CUT: (Roerty) Counterfeit cigars erode the prestige profitability and reputation of the handmade, premium cigar industry.

SCRIPT: The suit is seeking a preliminary injunction and damages. That's Newsbreak from General Cigar, I'm (reporter name).

Produced for

For more information on this story, contact Victoria McKee at 212 448 3824 or 732 580 5215

Seizure of Counterfeit Cohiba, Partagas and Macanudo Cigars
Please attribute responses to Daniel McGee, general counsel of General Cigar Company

1. Which specific bands and boxes were being counterfeited?

As this is an ongoing criminal investigation, we are uncertain as to exactly which bands and boxes were counterfeited. We do know that Cohiba, Macanudo and Partagas were among the brands seized, and that the seizure included boxes and bands for those brands. The seized counterfeit COHIBA bands included a number of designs, including the traditional "red dot" trade dress.

2. Are images of those counterfeit bands available?

At this time, we do not have photographs of the cigar bands; however, we will release images once we receive them from ABT.

3. I'm especially curious about this since - aside from being generally interesting to readers - it might help consumers spot counterfeits in the future. And, while we're on that subject, any tips or information you can offer consumers on how to spot fakes and what to do if they come across suspicious cigars would be a help.

There are a number of things consumers can do to ensure they are protecting themselves from cigar counterfeiters.

- First and foremost, buy from reputable authorized cigar retailers, a list of which can be found on www.cigarworld.com.
- Discounted pricing is a tell-tale sign. If the prices are below advertised prices offered by established brick and mortar or online retailers, it is a sign that the cigars may be counterfeit.
- Also, a visual inspection of the cigar band and cigar often reveal shoddy manufacture and craftsmanship.
- Additionally, counterfeits often have ill-fitting cello sleeves to obscure the consumer's ability to inspect the cigar.
- The cigar sizes of counterfeits, both in length and ring gauge, may vary from the genuine article. Same is true of wrapper shade. As an example, a counterfeit COHIBA Churchill may be a 52 ring gauge, when the authentic product has a 49 ring gauge.
- Finally, when sold in quantity, counterfeiters will often sell bundles as opposed to boxes, even in instances where authentic cigar of a particular brand or frontmark is not sold in bundles.

4. If they come across a fake who do they typically send them to?

Any reports or suspicions of counterfeits should be directed to General Cigar at report.counterfeits@cigarworld.com.

General Cigar can assure cigar consumers that our brand protection and anti-counterfeiting strategies are continuous and ongoing, focused on protecting cigar smokers from falling victim to counterfeiters. That said, most famous brand luxury goods are targeted by counterfeiters, whether the products are cigars, watches or handbags. That is why General Cigar invests significant time, resources and money to anti-counterfeiting initiatives.

5. Any idea when that precise calculation of the total retail value of seized cigars, bands, boxes, etc. will be completed?

We will receive additional information once the authorities have completed their investigation, yet General Cigar anticipates the total retail value of seized counterfeit cigars, bands and packaging will be in the high six figures or greater.

6. Who are the individuals who have been arrested by ABT and what kind of consequences are they facing if they're found guilty?

We have no further information other than what we announced about the individuals associated with Island Cigars. We will release information we receive with the appropriate approvals of law enforcement and prosecutors involved. General Cigar has requested that all individuals involved are prosecuted to the fullest extent of the law.

7. If you can't offer names, any other details you can offer would help. For instance, I'd like any information you can give me on total number of individuals, how many were also operating as (ostensibly) legitimate tobacconists, etc.

Based on what we have been told by law enforcement officials, there were approximately 12 arrests, but the two individuals associated with Island Cigars appear to have had the largest role as they were apparently banding, boxing, distributing and retailing counterfeits. Most of the other seizures took place at retail stores, including cigar shops and smokeshops. Again, we will release additional information once we have more details.

8. What specifics can you give me about the events and revelations that led General Cigar to request an investigation by ABT?

We have an anti-counterfeiting program which has been active for many years and is staffed by a dedicated team of investigators. It was brought to our attention that there was an uptick in counterfeit product in the Florida market, and we contacted the authorities for assistance in investigating the matter.

9. What did General Cigar suspect at the time and what was the basis for those suspicions?

Without revealing specifics of investigative tactics, I can say that General Cigar is vigilant in its efforts, constantly monitoring the market and investigating suspicions of counterfeit product. We also work with many law enforcement agencies and, where appropriate, coordinate by sharing evidence of crimes we encounter. In Florida, we suspected that a fairly sizable counterfeiting operation was the cause of the recent reports of counterfeit cigars in the state, and that the source of counterfeit product was likely operating as a distributor to certain Florida retailers where our investigators discovered counterfeit cigars. The bands and cigars we found were clearly from the same source or sources. We and ABT then worked together to gather more information and identify suspects.

10. The raids and arrests began Feb. 28. When, exactly, was that request for an ABT investigation made? General Cigar has a strong working relationship with ABT and many other law enforcement agencies. When we gather information about the retail sale of counterfeits, we always consider referring the matter to law enforcement. In this instance, the investigation that led to these arrests and large seizures was ongoing for over a year.

We have also developed measures to remove counterfeits from the market quickly, without sacrificing the investigation.

11. How long after that request did an actual investigation begin (assuming that an investigation began some time before seizures)?

See above.

12. Cigars, bands and boxes were found at Island Cigars. What is known about their involvement beyond having had the cigars in their possession? In other words, were they involved (partly or exclusively) in the production of the counterfeits seized by ABT at their facilities?

It is our understanding that Island Cigars operated a retail store and a separate entity where the counterfeit cigars were banded and boxed or bundled. Island Cigars then distributed and sold those counterfeits to others for resale.

13. Did Island Cigars have any legitimate relationship with General?

We don't believe so. Given the scope of this counterfeiting operation, we do not believe that any of the individuals involved had a direct, legitimate relationship with General Cigar. However, we will know definitely once law enforcement provides us with additional details.

14. That is, did they sell any genuine General products?

The retail location of Island Cigars had a substantial inventory of counterfeit versions of the brands indicated, but the store did have a small quantity of a few other General Cigar products, other brands, which were found to be authentic and not seized.

15. How big was this particular seizure as compared with the others that have taken place since the start of this particular investigation? Any specifics you can provide about the size of each seizure would be a help.

ABT is still conducting an inventory count and we can't provide any specific numbers until we receive that information. That said, it is apparent that the retail value of counterfeit banded cigars and counterfeit cigar bands was in the tens of thousands, if not hundreds of thousands. We just don't know the specifics yet and will learn that information when ABT provides it to us. We are grateful to the agency and understand that they have many investigations and duties to attend to, and we understand that these things take time. What we can say is that this is certainly one of the largest seizures, if not the largest, we have been involved in since the cigar boom of the mid-1990s.

16. Is there any reason to believe that the counterfeiting being investigated here has reach beyond Florida?

Yes. While Florida was the hub of these operations, there is little doubt that cigars found their way to other states. We are confident that the customers of these counterfeiters will be identified in time and will take whatever actions are necessary to seize counterfeit cigars and punish counterfeiters regardless of location. In the meantime, cigar smokers should follow the guidelines we issued to ensure the product they are purchasing is authentic.

17. In other words, is there suspicion that the people who made these counterfeit cigars, bands, etc. managed to sell (or are currently selling) those fakes outside of Florida?

See above.

18. What can you tell me about the cigars seized? How closely did they resemble the genuine article? Were they long-filler cigars? Did the sizes match?

Answered above.

As for filler, the cigars we inspected appeared to be low quality long filler cigars, but we don't have all of the details yet. Sizing of counterfeits is often imperfect as is the quality of construction, wrapper grade and color, etc.

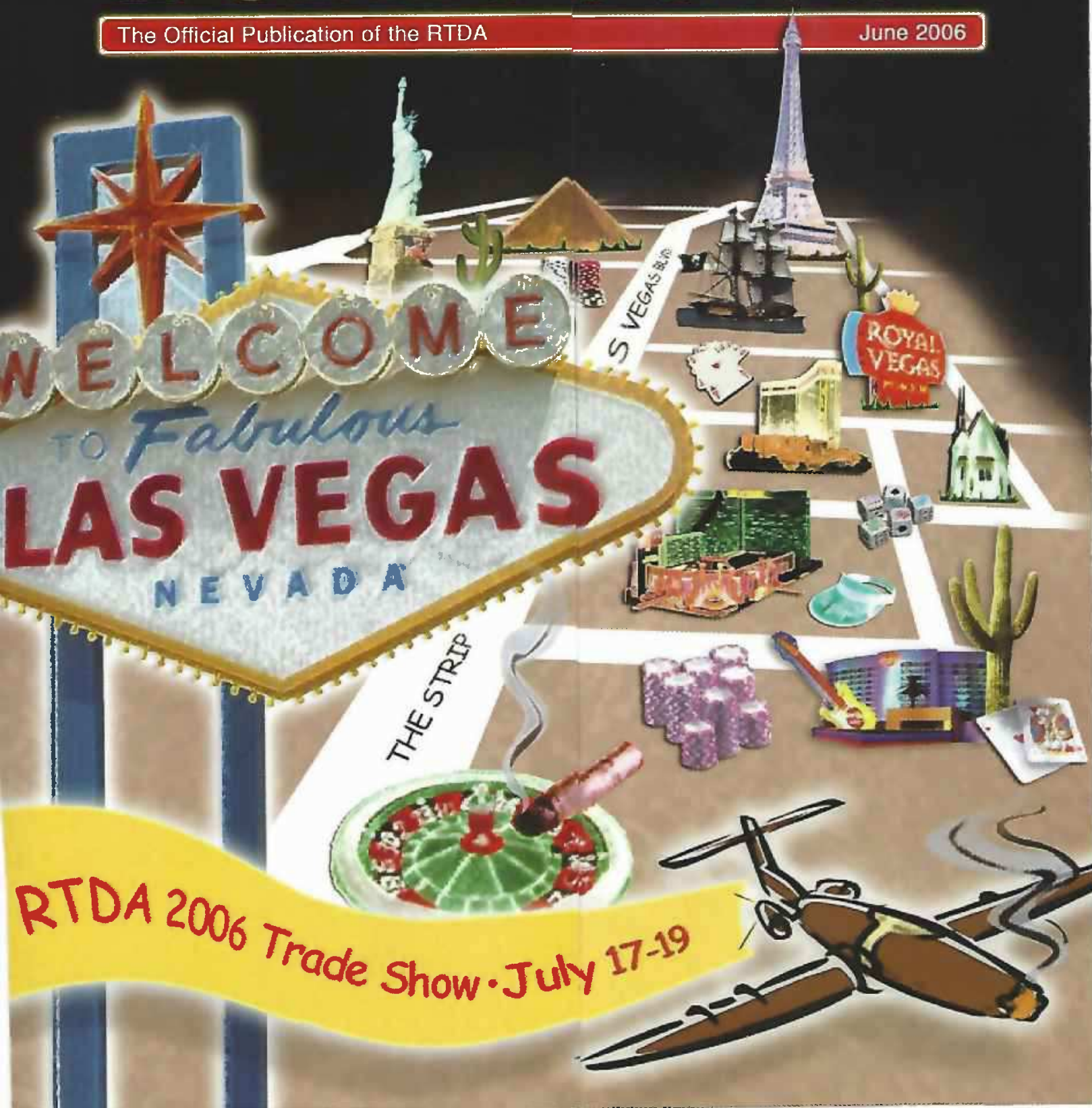
19. Finally, who would you suggest I contact at ABT if I have questions about the investigation that would be more appropriate for them to answer? (I have a feeling that some of the questions I've posed above fall into that category.)

Once ABT has completed its investigation and inventory count, we will provide more details in another release or request an ABT representative's contact information.

TOBACCONIST

The Official Publication of the RTDA

June 2006



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per pack of cigarettes and an equivalent tax for other tobacco products on the state's distributors and retailers. Proposition 10 also created the California Children and Families Commission, a state organization that implements childhood development programs.

The measure, passed by less than half a percentage point, became law on Jan. 1, 1999, and raised the inventory tax on California tobaccoists' floor inventory to 66.5 percent.

Other states followed California's lead, enacting a wave of tax increases on cigarettes and other tobacco products as well, making it more difficult for retailers to remain in business nationwide.

And there is fear that if the current ballot initiative is passed, it will spark a new wave of copycat tax initiatives that will raise taxes even more. But an association of California retailers and manufacturers is fighting back through a grassroots organization called the California Association for Liberty and Choice (CalLC).

As *Tobaccoist* went to press, CalLC had received pledges from Ashton, Arturo Fuente, C.A.O., Davidoff U.S.A., J.C. Newman, Prometheus and the RTDA to do whatever necessary to set up the organization and fund its fight against the initiative. CalLC members were contacting other manufacturers as well to enlist their support.

CalLC plans to wage a grassroots war against the initiative, using e-mails and brochures to inform California retailers and consumers and their friends and relatives about how the tax would impact smoking in the state.

The organization plans to place its brochures inside zip-top bags with cigars that are purchased in retail cigar shops. As of press time, CalLC planned to distribute the brochures to tobaccoists by using manufacturers' representatives once the tax initiative had been assigned a proposition number.

CalLC has already witnessed signs that California voters may be receptive to their mission to stop more taxes in the state, motivating its members to vote against two proposed ballot initiatives in California's June 6 primary elections.

Proposition 81, known as the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006—State of California, would have approved the sale of \$600 million in bonds to provide grants to local agencies for the construction, renovation, and/or expansion of local library facilities.

Proposition 82, known as the Reiner Initiative, would have allowed the state constitution to be changed to create a new, publicly funded, voluntary preschool program for children to attend in the year before kindergarten. The measure would have increased personal income tax rates for high-income individuals.

Californians rejected both initiatives.

According to CalLC member and Prometheus president Keith Park, "The special interest groups (such as California Hospital Association and Association of California Nurse Leaders) have sponsored The Tobacco Tax Act of 2006. These groups are trying to convince the people of California to vote for the tax increase so that they can finance their special interest with California taxpayers' money. For instance, the revenue collected from The Tobacco Tax Act of 2006 will be used to fund the activities such as nursing education and training and hospital emergency services.

"The Tobacco Tax Act of 2006 will result in the collection of less revenue and an increased 'black market' trade of cigarettes and cigars. Furthermore, the cigar purchase by California consumers will go to the out-of-state mail-order and internet companies.

"It will put small California enterprises, which are the backbone of our economy, out of business. Furthermore, if California raises the tobacco tax on cigars to 135 percent, the rest of the country will follow and raise [its] tobacco taxes. This is what exactly happened after the voters of California approved Proposition 10 in 1998.

"Proposition 10 was passed by 80,000 votes. If 80,000 votes are what it takes to make a difference in November 2006, I am more than sure that we can convince 80,000 cigar smokers to vote against The Tobacco Tax Act of 2006. In 1998, we were not organized and never put up the fight. This time, we must act to take control of our own destiny.

"This is not about cigarettes and cigars. Our fight is all about stopping the fraudulent tax increase initiated by special-interest groups for their own interest. We must reach out to nonsmokers and tell them to join our fight to protect our liberty and choice."

To become involved in the struggle, contact CalLC at <http://www.calliberty.org/>.

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April 24, 2012

COUNTERFEIT COHIBA CIGARS SEIZED IN MIAMI

Richmond, VA— [General Cigar](#) announces that a team of special agents from the Miami Office of the Florida Division of Alcoholic Beverages & Tobacco conducted raids yesterday resulting in the seizure of over 10,000 counterfeit [COHIBA](#)® cigars with an estimated retail value of more than \$200,000.

The counterfeit cigar seizures followed an investigation conducted by law enforcement, in cooperation with General Cigar, which is the exclusive owner of the COHIBA trademark in the U.S.

The raids took place at two retail stores, Cuban Cigar Corp. and Top Cigars, both of which are located on Calle Ocho, a popular tourist destination in Miami's Little Havana district. Both stores are owned by the same individual who was not present during the raids. Law enforcement officials are continuing to investigate the retailer and are expected to file criminal charges for violations of Florida state law relating to counterfeit goods.

The seized counterfeit cigars featured cigar bands displaying the word COHIBA® and "Republica Dominicana" and were packaged in various styles of wooden boxes which also displayed the COHIBA® mark. According to the special agents involved, approximately 1,800 boxes of counterfeit COHIBA® cigars were seized.

Dan Carr, president of General Cigar said, "Protecting cigar consumers from counterfeiters and maintaining the integrity of our products is a top priority for the company, and we are very grateful for the efforts of the Florida Division of Alcoholic Beverages & Tobacco. We will continue to cooperate with law enforcement as the investigation continues."

General Cigar devotes significant resources to protecting the COHIBA® brand, which is a frequent target of cigar counterfeiters. In November of 2011, the company's cooperation with federal and Florida state law enforcement agencies led to the seizure of more than 3,000 counterfeit COHIBA® cigars from seven tobacco retail stores located in Key West, Florida.

About General Cigar

General Cigar Co. Inc., a division of Scandinavian Tobacco Group, manufactures and markets handcrafted cigars for the premium market. Committed to delivering cigars of the finest quality, General Cigar's skilled artisans produce Macanudo®, COHIBA, La Gloria Cubana®, CAO, Partagas®, Punch®, Hoyo de Monterrey®, Excalibur® and several other leading premium brands in the company's Dominican, Honduran and Nicaraguan factories.

In addition, the company cultivates proprietary tobacco which is used exclusively in its blends. General Cigar also operates Club Macanudo®, a cigar bar in New York City. Based in Richmond, VA, General Cigar sells through tobacconists nationwide and also exports select products to 62 countries. For more information, please visit www.cigarworld.com.

® COHIBA, Macanudo, La Gloria Cubana, Partagas, Punch, Hoyo de Monterrey, Excalibur and Club Macanudo are registered trademarks of General Cigar Co. Inc.

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For Immediate Release

October 9, 2007

Contact: Victoria McKee

General Cigar Co., Inc.

732.580.5215 or 201 575 0230

vmckee@gcigar.com

GENERAL CIGAR SETTLES SUIT INVOLVING INFRINGEMENT OF ITS COHIBA® TRADEMARK

Richmond, VA--General Cigar Co. Inc. announced today that the company has reached resolution of a federal trademark lawsuit which alleged infringement of its COHIBA trademark.

The suit was filed in May 2006 in the United States District Court for the Southern District of Georgia against defendants Southern Smoke LLC; Corner Cigars Distributing Inc.; Big Dog Cigars LLC, Seminole Cigar Factory and others.

In resolving the lawsuit, the defendants acknowledged that the "yellow band" COHIBA cigars at issue constituted infringement of General Cigar's COHIBA trademark of cigars in the United States. In addition, the defendants agreed to deliver to General Cigar for destruction approximately 10,000 yellow band COHIBA cigars. The defendants also agreed to cooperate with General Cigar in its ongoing efforts to identify sources engaged in infringement of COHIBA cigars in the United States. Finally, the defendants consented to entry of a permanent injunction against the sale, marketing, distribution or other use of the COHIBA name in the United States on goods not manufactured by General Cigar and will pay General Cigar a cash settlement of an undisclosed amount.

Daniel Nuñez, president and chief operating officer of General Cigar, commented, "We are very pleased with the outcome of this case."

Nuñez continued, "This case is another step in our ongoing efforts to stop the sale and marketing of cigars which infringe upon our federally protected trademark rights."

In the lawsuit, General Cigar alleged that the defendants infringed the company's COHIBA trademark in violation of federal and state law by selling and distributing cigars bearing the COHIBA name that were not manufactured by General Cigar. The infringing cigars were sometimes referred to as "yellow band COHIBA" cigars and, like General Cigar's COHIBA cigars, were manufactured in the Dominican Republic.

The lawsuit was the result of an extensive joint effort conducted by General Cigar's field sales team and a special task force retained by the company as part of its ongoing, nationwide effort to aggressively investigate, pursue and eliminate such infringing products from the marketplace.

In February of 2005, a federal court confirmed General Cigar's ownership of the COHIBA mark in the United States.

General Cigar's collection of premium COHIBA cigars is handcrafted in the Dominican Republic and is a favorite among cigar connoisseurs. In addition to the COHIBA base brand, General Cigar manufactures and markets COHIBA XV which was introduced in 2001 and COHIBA Black which debuted last year.

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®COHIBA, Macanudo, Partagas, Punch, Excalibur, Hoyo de Monterrey, La Gloria Cubana and Club Macanudo are registered trademarks of General Cigar Co., Inc.

#



FOR IMMEDIATE RELEASE

November 9, 2011

Contact: Victoria McKee Jaworski

General Cigar Co. Inc.

victoria.mckee@st-group.com

Phone: 732 721 0317 or 732 580 5215

COUNTERFEIT COHIBA CIGARS SEIZED IN KEY WEST

Richmond, VA—[General Cigar](#) announces that federal and Florida state law enforcement officials yesterday seized more than 3,000 counterfeit [COHIBA®](#) cigars from seven tobacco retail stores located in prime tourist areas of Key West, Florida.

Individual cigars were sold at approximately \$20 apiece. Based on current estimates, the approximate street value of goods seized was more than \$60,000.

The counterfeit cigar seizures followed a lengthy investigation conducted in cooperation with General Cigar Company, which is the exclusive owner of the COHIBA trademark in the U.S. The lead law enforcement agency for yesterday's seizures was the U.S. Homeland Security Investigations, assisted by U.S. Customs and Border Protection, the Florida Alcoholic Beverages & Tobacco Bureau of Law Enforcement, and the Florida Department of Law Enforcement.

Dan Carr, president of General Cigar said, "The seizure of bogus COHIBA cigars yesterday represents a clear victory in General Cigar's fight to protect our cigar bands from counterfeiters and trademark infringers. We look forward to continuing to cooperate with federal and state law enforcement officials in Florida and have offered to assist as the prosecution proceeds."

About General Cigar

General Cigar Co. Inc., a division of Scandinavian Tobacco Group, manufactures and markets handcrafted cigars for the premium market. Committed to delivering cigars of the finest quality, General Cigar's skilled artisans produce Macanudo®, COHIBA, La Gloria Cubana®, CAO, Partagas®, Punch®, Hoyo de Monterrey®, Excalibur® and several other leading premium brands in the company's Dominican, Honduran and Nicaraguan factories.

In addition, the company cultivates proprietary tobacco which is used exclusively in its blends. General Cigar also operates Club Macanudo®, a cigar bar in New York City. Based in Richmond, VA, General Cigar sells through tobacconists nationwide and also exports select products to 62 countries. For more information, please visit www.cigarworld.com.

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#

FEDERAL COURT OF APPEALS AFFIRMS: YOU CAN GO TO JAIL FOR SELLING COUNTERFEIT CIGARS

Counterfeiters Beware: *If you knowingly sell counterfeit cigars, not only are you liable for trademark infringement, but you may also be committing a federal crime.*

General Cigar Values its Trademarks: *Macanudo, Partagas, Punch, Excalibur, Hoyo de Monterrey, Cohiba and Bolivar – these and other General Cigar trademarks are symbols of excellence in cigar-making. It's no wonder the counterfeiters use these marks on their knock-offs.*

Selling Counterfeit Cigars is Trademark Infringement: *Those who sell knock-off cigars bearing General Cigar's trademarks are committing trademark infringement. General Cigar has a policy of enforcing its trademark rights, and General Cigar has the right to seek damages for the infringement of its trademarks in a court of law.*

Selling Counterfeit Cigars is a Federal Crime: *Not only may counterfeiters be liable to General Cigar, but they also may be prosecuted in Federal Court. If found guilty of this federal crime, first-time offenders face a maximum of \$2 million in fines, 10 years in prison, or both. Three South Florida men recently learned this the hard way when the United States Court of Appeals for the Eleventh Circuit affirmed their convictions for trafficking in counterfeit cigars bearing General Cigar's trademarks, including Cohiba, Punch, Hoyo de Monterrey, and Bolivar.*

Help us stop the counterfeiters: *If anyone offers you a shipment of cigars bearing our trademarks at a price that's "too good to be true," or if you have any other reason to believe that the cigars bearing our trademarks are fakes, refuse to deal with these counterfeiters and let General Cigar know about it right away. You'll be helping us win the battle against the counterfeiters. You'll also be sure that your customers are getting genuine products with the high quality they expect. And you'll sleep a lot easier at night.*



**General Cigar Cohiba Lawsuit Ruling
July 23, 2008**

Outlet	Date	Description	Circulation	Ad Value	Ad Equivalency
Associated Press	7/15/08	Feature story	N/A	Redacted	
Forbes	7/10/08	Ran press release coverage	1,511,236		
SignOnSanDiego.com/San Diego Union-Tribune	7/15/08	Ran AP coverage	1,357,699		
Bloomberg	7/11/08	Feature story	1,080,899		
Richmond Times-Dispatch	7/19/08	Feature story	399,795		
ModBee/Modesto Bee	7/15/08	Ran press release coverage	267,943		
Dallas Morning News	7/10/08	Ran press release coverage	221,348		
Richmond.com	7/11/08	Ran press release coverage	194,848		
Richmond Times-Dispatch (print)	7/19/08	Feature story	173,217		
Las Vegas Now/ KLAS-TV	7/15/08	Ran press release coverage	165,281		
WAVY.com (NBC/Virginia)	7/15/08	Ran AP coverage	144,825		
Stogie Guys	7/11/08	Mentioned ruling	10,629		

Totals

Total hits: 12

Total circulation: 5,527,720

Total ad value: [REDACTED]

Total ad equivalency: [REDACTED]

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April 24, 2012

COUNTERFEIT COHIBA CIGARS SEIZED IN MIAMI

Richmond, VA— [General Cigar](#) announces that a team of special agents from the Miami Office of the Florida Division of Alcoholic Beverages & Tobacco conducted raids yesterday resulting in the seizure of over 10,000 counterfeit [COHIBA](#)® cigars with an estimated retail value of more than \$200,000.

The counterfeit cigar seizures followed an investigation conducted by law enforcement, in cooperation with General Cigar, which is the exclusive owner of the COHIBA trademark in the U.S.

The raids took place at two retail stores, Cuban Cigar Corp. and Top Cigars, both of which are located on Calle Ocho, a popular tourist destination in Miami's Little Havana district. Both stores are owned by the same individual who was not present during the raids. Law enforcement officials are continuing to investigate the retailer and are expected to file criminal charges for violations of Florida state law relating to counterfeit goods.

The seized counterfeit cigars featured cigar bands displaying the word COHIBA® and "Republica Dominicana" and were packaged in various styles of wooden boxes which also displayed the COHIBA® mark. According to the special agents involved, approximately 1,800 boxes of counterfeit COHIBA® cigars were seized.

Dan Carr, president of General Cigar said, "Protecting cigar consumers from counterfeiters and maintaining the integrity of our products is a top priority for the company, and we are very grateful for the efforts of the Florida Division of Alcoholic Beverages & Tobacco. We will continue to cooperate with law enforcement as the investigation continues."

General Cigar devotes significant resources to protecting the COHIBA® brand, which is a frequent target of cigar counterfeiters. In November of 2011, the company's cooperation with federal and Florida state law enforcement agencies led to the seizure of more than 3,000 counterfeit COHIBA® cigars from seven tobacco retail stores located in Key West, Florida.

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December 19, 2011 0 Comment Cigaranado

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Most of the information that I cover in this blog is limited to reviews of cigars, humidors, and the dispensation of practical advice regarding the wonderful world of cigars. However, many cigar smokers are unaware of how serious the problem of counterfeit cigars seriously is. A recent press release by Business Wire revealed that more than 3,000 counterfeit Cohiba cigars were recently seized off of the coast of Florida. These cigars had a street value of more than \$60,000.00 U.S. dollars.

The seizure of these cigars, which prevented them from making their way into the humidors of cigar aficionados, was trumpeted as a decisive victory in General Cigar's attempt to fight counterfeiting of their products. Working in conjunction with federal and state officials and prosecutors, General Cigar Co. plans to bring those who are responsible for this contraband to justice. Personally, upon reading this new release, I felt overjoyed. General Cigar Co. Cohibas are the only cigars from this brand that you can legally obtain in the United States for your humidors. It goes without saying that these cigars are pretty enjoyable as well. However, reading this article made me wonder just how many counterfeit cigars an individual comes across, especially on such a large scale. Upon further investigation, what I found truly surprised me.

As I began reading various articles on counterfeit cigars, I discovered that in 2009, more than 18 brands of counterfeit Cuban cigars and 4 brands of Dominican Republic cigars were seized. All in all, the street value of the cigars seized alone in 2009 amounted to nearly 1 million dollars. I can only imagine how many cigars smokers paid \$20.00 per cigar, only to be disappointed by the quality of the cigar that they were smoking. Who knows how many counterfeit cigars were slipped into the United States undetected?

How do you manage to tell a counterfeit cigar from the genuine item? Much of your discernment will come with time and experience. However, the number one manner of protecting yourself from counterfeits is to purchase your cigars from reputable sources only. The price of a cigar can also be an indicator. For example, if you see a "Cuban" cigar that should be selling for \$50.00 a stick, priced at only \$10.00, the chances are that you're dealing with a forgery. Another giveaway is the appearance and construction of the cigar. Often times, counterfeit cigars will not be uniform in color. The wrapper leaf can also be quite veiny and rough in texture and appearance.

So big congratulations should be extended to General Cigar Co. for the excellent work they are doing in protecting their clientele. For my fellow cigar aficionados, I believe that it is important for us as a collective to take steps to educate ourselves about how to identify counterfeit cigars, so that we do not unwittingly assist these unscrupulous individuals. After all, the confidence in our ability to enjoy a good cigar is something that we hold dearly.

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For Immediate Release

October 9, 2007

Contact: Victoria McKee

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#

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 1147309
For the mark COHIBA
Date registered: February 17, 1981

AND

In the matter of the Trademark Registration No. 1898273
For the mark COHIBA
Date registered: June 6, 1995

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EMPRESA CUBANA DEL TABACO, d.b.a.	:	
CUBATABACO,	:	
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Petitioner,	:	Cancellation No. 92025859
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General Sues Over Dominican Cohiba

By David Savona (/author/show/id/7)

Posted May 11, 2006

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General Cigar Co. sued several companies and individuals yesterday, accusing them of selling counterfeit Cohiba cigars in the United States, according to a complaint filed by General. This is believed to be the first time General has sued to stop an alleged producer of counterfeit Cohibas. The suit is aimed against Cohiba Caribbean's Finest Cigars, a brand made in the Dominican Republic. In the 18-page letter of complaint, General accused the brand's distributor of trademark infringement, trademark counterfeiting, unlawful importation and a host of other charges in the U.S. District Court of Nevada.

"The idea would be to stop them from continuing to ship cigars," said Gerry Roerty, vice president and general counsel of General Cigar. He said General also wants to get the cigars "removed from the shelf."

General's Cohibas feature a logo with a prominent red dot. Cuban Cohibas have a series of black and white squares above the word "Cohiba," a style that Cohiba Caribbean's Finest Cigars has apparently mimicked, according to a black-and-white scan on General Cigar's complaint.

Phil Restifo, chief executive officer of Data Commodities Ltd., one of the companies named in the suit, is a distributor of Cohiba Caribbean's Finest Cigars. The Nevada company (which is incorporated in The Bahamas, according to the suit) is also a distributor of liquor. Restifo said the cigars were made in Santiago, Dominican Republic, by a factory called Don Rivera.

Restifo said he had yet to see a copy of the lawsuit, but stood by his right to sell the cigars. Carlos Rey, whom Restifo said was the head of the Don Rivera factory, declined to comment about the suit via e-mail, referring questions to Restifo.

While this is the first time General has sued over another Dominican Cohiba, it's hardly the company's first court battle over the name. Cubatabaco, the state-owned company that owns Cuba's cigar brands, sued General Cigar in 1997 over Cohiba, the start of an eight-year battle between the American and Cuban companies. In 2004, a U.S. judge cancelled General's trademark, a ruling that was reversed on appeal in 2005, giving General Cigar the U.S. rights once again.

For the complete story on the General lawsuit against Cohiba Caribbean's Finest Cigars, see the upcoming *Cigar Insider* (/Cigar/CA_Insider/CA_Insider_Main/1,3045,00.html).

See Also:

Thursday, December 29, 2016

Scandinavian Tobacco Group Reports Flat Sales, Higher Profits (/webfeatures/show/id/scandinavian-tobacco-group-reports-flat-sales-higher-profits-19154)

Wednesday, December 28, 2016

IPCPR Moves Show Dates And Venue (/webfeatures/show/id/ipcpr-moves-show-dates-and-venue-19155)

Wednesday, December 28, 2016

A.J. Fernandez Opens New Factory, Producing 601 Brand (/webfeatures/show/id/aj-fernandez-opens-new-factory-producing-601-brand-19153)

Friday, December 23, 2016

Craig Reynolds To Head North American Business For Scandinavian Tobacco Group (/webfeatures/show/id/craig-reynolds-head-north-american-scandinavian-tobacco-group-19151)

Thursday, December 22, 2016

FDA Extends Cigar Registration Period By Six Months (/webfeatures/show/id/fda-extends-cigar-registration-period-by-six-months-19150)

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Judge Halts Sales of Cohiba Caribbean's Finest Cigars

By David Savona (/author/show/id/7)

Posted June 9, 2006

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Companies selling a Cohiba cigar called counterfeit by General Cigar Co. were ordered to cease making, importing, and selling the cigars by a Reno, Nevada judge.

The order, issued by U.S. District Court Judge Brian E. Sandoval on June 2, also prohibits the defendants in a lawsuit filed by General from claiming that they have "any legal right" to use the Cohiba trademark, according to General Cigar. General Cigar owns the U.S. rights to the Cohiba cigar name.

The order comes after General sued distributors of Cohiba Caribbean's Finest Cigars on March 11.

"While the case is still pending and in its early stages, we are confident that we will ultimately prevail," said Gerry Roerty, vice president and general counsel of General. "Furthermore, we feel that the judge's order sends a strong message to those who continue to make false representations to consumers regarding the Cohiba brand."

Data Commodities Ltd., one of the parties named in the suit, changed its web site in response to the order, replacing the name Cohiba Caribbean's Finest cigars with Don Rivera.

See Also:

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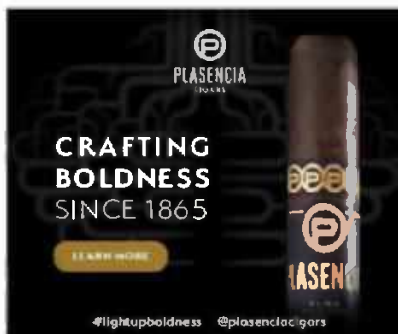
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General Cigar Reaches Settlement Over Cohiba Trademark

By Gregory Mottola (/author/show/id/393)

Posted October 11, 2007

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General Cigar Co. has reached a settlement concerning infringement of its Cohiba trademark by companies producing and selling unauthorized "yellow band" Cohibas in the United States. The suit was filed in May 2006, in the United States District Court for the Southern District of Georgia against Southern Smoke LLC, Corner Cigars Distributing Inc., Big Dog Cigars LLC and Seminole Cigar Factory.

In the terms of the settlement, the defendants acknowledged that the "yellow band" Cohiba cigars they were producing and selling constituted an infringement of General's Cohiba trademark in the United States. General's Cohiba brand is known to many cigar smokers as the Red Dot Cohiba on account of the red dot on the band.

In addition to admitting infringement, the defendants agreed to turn over approximately 10,000 yellow band Cohiba cigars to General for destruction. The defendants also consented to entry of a permanent injunction against the sale, marketing, distribution or other use of the Cohiba name in the United States on products not made by General. Furthermore, the defendants agreed to cooperate with General's ongoing efforts to identify sources engaged in Cohiba trademark infringement. The accused will also pay General an undisclosed cash amount.



General Cigar destroying the "yellow band" Cohiba cigars and packaging turned over as a result of the ruling.

"We are very pleased with the outcome of this case," said Daniel Núñez, president and chief operating officer of General Cigar. "This case is another step in our ongoing efforts to stop the sale and marketing of cigars which infringe upon our federally protected trademark rights."

General Cigar has been selling its Cohiba brand nationally since 1994, although the cigar did not become widely available until 1997 when General started to seriously market the Red Dot Cohiba. The company has had to fight for the name ever since, as it has been embroiled in a lawsuit with Cuba since the late 1990s – a case that was ruled in General's favor in 2005 and upheld by the U.S. Supreme Court in 2006.

Most recently, General went after a company distributing a product called Cohiba Caribbean's Finest – a cigar that also infringed on General's Cohiba trademark.

General's Red Dot Cohiba is made in the Dominican Republic.

See Also:

Thursday, December 29, 2016

Scandinavian Tobacco Group Reports Flat Sales, Higher Profits (/webfeatures/show/id/scandinavian-tobacco-group-reports-flat-sales-higher-profits-19154)

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A.J. Fernandez Opens New Factory, Producing 601 Brand (/webfeatures/show/id/aj-fernandez-opens-new-factory-producing-601-brand-19153)

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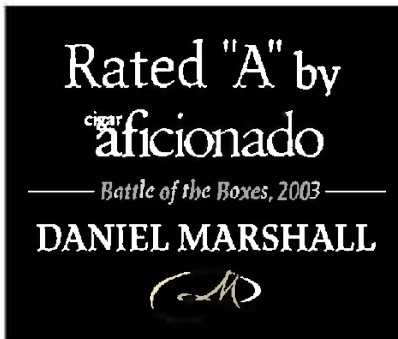
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Counterfeit Cohiba Cigars Seized in Key West

CIGAR NEWS • 1 NOV 2011

GARY KORB

The counterfeit cigar seizures followed a lengthy investigation conducted in cooperation with General Cigar Company, which is the exclusive owner of the COHIBA trademark in the U.S. The lead law enforcement agency for yesterday's seizures was the U.S. Homeland Security Investigations, assisted by U.S. Customs and Border Protection, the Florida Alcoholic Beverages & Tobacco Bureau of Law Enforcement, and the Florida Department of Law Enforcement.

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Dan Carr, president of General Cigar said, "The seizure of counterfeit COHIBA cigars yesterday represents a clear victory in General Cigar's fight to protect our cigar bands from counterfeiters and trademark infringers. We look forward to continuing to cooperate with federal and state law enforcement officials in Florida and have offered to assist in any prosecutions and future investigations."

* * *

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GARY KORB



**EXECUTIVE EDITOR
AT
CIGARADVISOR.COM**

Gary Korb has been writing and editing content for CigarAdvisor.com since its debut in 2008. An avid cigar smoker for over 30 years, during the past 12 years he has worked on the marketing side of the premium cigar business as a Sr. Copywriter, blogger, and cigar reviewer. A graduate of the Newhouse School of Public Communications at Syracuse University, prior to his career in the cigar business, Gary worked in the music and video industry as a marketer and a publicist.

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COHIBA

**Counterfeiters of Cohiba, Macanudo and Partagas Cigars Shut Down
Across Florida in Series of Seizure Raids and Arrests, Announces
General Cigar**



March 24, 2015 05:58 PM Eastern Daylight Time

RICHMOND, Va.—(BUSINESS WIRE)—General Cigar Company Inc. announced that teams of special agents from the Florida Division of Alcoholic Beverages & Tobacco ("ABT") conducted a series of raids and arrests throughout Florida relating to the manufacture, distribution and sale of counterfeit versions of the Company's COHIBA®, Macanudo® and Partagas® cigar brands.

Since February 28th, ABT has seized counterfeit cigars with an estimated retail value in excess of \$100,000. In addition to the banded counterfeit cigars, ABT has also seized tens of thousands of counterfeit cigar bands and boxes. Given the large volume of counterfeit materials seized, ABT has not yet completed a precise calculation of the total retail dollar value, but the Company expects the amount could reach the high six figures or greater. ABT has also arrested numerous individuals, charging them with felony forgery or counterfeiting of private labels and related offenses under Florida law.

The events leading up to the recent seizures and arrests began more than a year ago when, at General Cigar's request, the Tampa office of ABT commenced an investigation into certain entities and individuals suspected of involvement in the manufacture, distribution and sale of counterfeit cigars. As the facts developed, special agents in other ABT offices commenced investigations of counterfeiters located throughout Florida. These investigations which remain ongoing have led to numerous seizures and arrests in cities and towns throughout the state, including Clearwater, Davenport, Fort Myers, Hollywood, Lutz, Oldsmar, Palm Harbor, Tampa and Weeki Wachee.

The largest of the recent seizures involved Island Cigars Corp, a licensed cigar distributor and retailer. Raids conducted at Island Cigars Corp's Weeki Wachee headquarters and Oldsmar retail store resulted in the seizure of tens of thousands of counterfeit cigars and related materials, including cigar bands and cigar boxes. ABT also seized the company's business records, computers and printers. Rolando Gruart, president of Island Cigars and Constanza Sanchez, secretary and treasurer of the company, were both arrested during raids that took place in late February.

Dan Carr, president of General Cigar said, "We remain fully committed to anti-counterfeiting initiatives that protect consumers and greatly appreciate the efforts of the Florida Division of Alcoholic Beverages & Tobacco and its special agents. The Company will continue to vigorously defend our trademarks and support criminal investigations and prosecutions relating to the distribution or sale of counterfeit versions of our cigars."

About General Cigar Company

General Cigar Company manufactures and markets premium, handcrafted cigars of the finest quality. The company's artisans produce Macanudo, Cohiba, La Gloria Cubana®, Punch®, CAO®, Partagas, Hoyo de Monterrey®, Excalibur® and several other leading brands in its Dominican, Honduran and Nicaraguan factories. The company also manufactures and distributes Dunhill cigars and Dunhill pipe tobacco. Based in Virginia, General Cigar sells through tobacconists nationwide and exports select products to 62 countries. In addition, the company cultivates proprietary tobacco which is used exclusively in its blends. General Cigar recently launched Foundry Tobacco Company, an innovation platform created to bring excitement to the premium cigar category. General Cigar also operates Club Macanudo®, a cigar bar in New York City. In 2014, General Cigar Company acquired the Torano Family Cigar business and brought the Leccia Tobacco Company brands into the company. For more information, please visit www.cigarworld.com.

® Macanudo, Cohiba, Partagas, La Gloria Cubana, Punch, CAO, Hoyo de Monterrey, Excalibur and Club Macanudo are registered trademarks of General Cigar Company.

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For General Cigar Company Inc.

Victoria McKee, 732-721-0317

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COHIBA®

**Counterfeit COHIBA Cigars Seized in Miami Announces General
Cigar Company**



More than 10,000 counterfeit COHIBA cigars seized yesterday in Miami (Photo: Business Wire)

April 24, 2012 08:27 PM Eastern Daylight Time

RICHMOND, Va.-(BUSINESS WIRE)-General Cigar announces that a team of special agents from the Miami Office of the Florida Division of Alcoholic Beverages & Tobacco conducted raids yesterday resulting in the seizure of over 10,000 counterfeit **COHIBA®** cigars with an estimated retail value of more than \$200,000.

The counterfeit cigar seizures followed an investigation conducted by law enforcement, in cooperation with General Cigar, which is the exclusive owner of the COHIBA trademark in the U.S.

The raids took place at retail stores located on Calle Ocho, a popular tourist destination in Miami's Little Havana district. Law enforcement officials are expected to file criminal charges for violations of Florida state law relating to counterfeit goods.

The seized counterfeit cigars featured cigar bands displaying the word COHIBA® and "Republica Dominicana" and were packaged in various styles of wooden boxes which also displayed the COHIBA® mark. According to the special agents involved, approximately 1,800 boxes of counterfeit COHIBA® cigars were seized.

Dan Carr, president of General Cigar said, "Protecting cigar consumers from counterfeiters and maintaining the integrity of our products is a top priority for the company, and we are very grateful for the efforts of the Florida Division of Alcoholic Beverages & Tobacco. We will continue to cooperate with law enforcement as the investigation continues."

General Cigar devotes significant resources to protecting the COHIBA® brand, which is a frequent target of cigar counterfeiters. In November of 2011, the company's cooperation with federal and Florida state law enforcement agencies led to the seizure of more than 3,000 counterfeit COHIBA® cigars from seven tobacco retail stores located in Key West, Florida.

About General Cigar

General Cigar Co. Inc., a division of Scandinavian Tobacco Group, manufactures and markets handcrafted cigars for the premium market. Committed to delivering cigars of the finest quality, General Cigar's skilled artisans produce Macanudo®, COHIBA, La Gloria Cubana®, CAO, Partagas®, Punch®, Hoyo de Monterrey®, Excalibur® and several other leading premium brands in the company's Dominican, Honduran and Nicaraguan factories.

In addition, the company cultivates proprietary tobacco which is used exclusively in its blends. General Cigar also operates Club Macanudo®, a cigar bar in New York City. Based in Richmond, VA, General Cigar sells through tobacconists nationwide and also exports select products to 62 countries. For more information, please visit www.cigarworld.com.

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Photos/Multimedia Gallery Available: <http://www.businesswire.com/cgi-bin/mmq.cgi?eid=50251922&lang=en>

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victoria.mckee@st-group.com



General Cigar Announces Counterfeit COHIBA Cigars Seized in Key West

November 09, 2011 08:31 PM Eastern Standard Time

RICHMOND, Va.—(**BUSINESS WIRE**)—General Cigar announces that federal and Florida state law enforcement officials yesterday seized more than 3,000 counterfeit **COHIBA®** cigars from seven tobacco retail stores located in prime tourist areas of Key West, Florida.

Individual cigars were sold at approximately \$20 apiece. Based on current estimates, the approximate street value of goods seized was more than \$60,000.

The counterfeit cigar seizures followed a lengthy investigation conducted in cooperation with General Cigar Company, which is the exclusive owner of the COHIBA trademark in the U.S. The lead law enforcement agency for yesterday's seizures was the U.S. Homeland Security Investigations, assisted by U.S. Customs and Border Protection, the Florida Alcoholic Beverages & Tobacco Bureau of Law Enforcement, and the Florida Department of Law Enforcement.

Dan Carr, president of General Cigar said, "The seizure of counterfeit COHIBA cigars yesterday represents a clear victory in General Cigar's fight to protect our cigar bands from counterfeiters and trademark infringers. We look forward to continuing to cooperate with federal and state law enforcement officials in Florida and have offered to assist in any prosecutions and future investigations."

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victoria.mckee@st-group.com

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 1147309
For the mark COHIBA
Date registered: February 17, 1981

AND

In the matter of the Trademark Registration No. 1898273
For the mark COHIBA
Date registered: June 6, 1995

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GENERAL CIGAR CO., INC.,	:	
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Respondent.	:	
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**Victoria McKee Jaworski
Annex B**

Cigarworld Announcement

Banner Headline: **General Cigar Celebrates Victory in Cohiba Trademark Case**

Text: July 14, 2010--A federal appeals court has ruled in favor of General Cigar in the latest round of litigation in the US Cohiba trademark case, once again affirming that the company is the rightful owner of the Cohiba trademark in the U.S. The appeals court concluded that Cubatabaco's argument that a change in a law justified re-opening this case was "without merit" and restored a previous ruling in favor of General Cigar over Cubatabaco.

According to Dan Carr, chief operating officer of General Cigar, "We are pleased with the court's ruling and continue to remain confident that our exclusive right to the Cohiba cigar brand in the U.S. will be upheld even if Cubatabaco attempts further legal efforts to challenge these rights. We are committed to vigorously defending our U.S. rights to the Cohiba mark."

General Cigar first filed a U.S. application to register the Cohiba trademark in 1978.

B2B Announcement

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GENERAL CIGAR PREVAILS OVER CUBATABACO IN TRADEMARK DISPUTE

Richmond, VA--General Cigar was recently vindicated by the courts again in the nearly 16 year old legal battle waged by Cubatabaco to determine rightful ownership of the Cohiba® trademark in the United States. After losing its legal battle in the Second Circuit, Cubatabaco continued to exhaust all available legal channels by bringing this matter before the United States Trademark Trial and Appeal Board ("TTAB").

The TTAB granted General Cigar's motion for summary judgment, and dismissed with prejudice Cubatabaco's petition to cancel General Cigar's Cohiba registrations. The TTAB ruled that because the federal courts have held that Cubatabaco may not sell Cohiba cigars in the U.S. or acquire any interest in the Cohiba mark, Cubatabaco lacks any property interest in the Cohiba mark. Cubatabaco therefore has no standing to challenge General Cigar's registrations of the Cohiba mark.

General Cigar's President Dan Carr said, "This ruling once again affirms what we have believed all along: That Cubatabaco has no merit in challenging General Cigar's ownership of the Cohiba trademark in the United States."

General Cigar received its first registration of the Cohiba trademark in the U.S. in 1981, and again in 1992. The company has sold its Dominican Cohiba cigar in the U.S. since the early 1980s.

About Cohiba Cigars

True cigar connoisseurs recognize Dominican Cohiba cigars as one of the finest brands available in the U.S. market. Critically acclaimed for their meticulous construction and refined taste, the core brand of Cohiba cigars is complemented by these premium collections: Cohiba Black, Cohiba XV, Cohiba Puro Dominicana and Cohiba Edición Diamante.

® Cohiba is a registered trademark of General Cigar Company.

#



For Immediate Release

July 15, 2010

Contact: Victoria McKee Jaworski

General Cigar Co. Inc.

732 721 0317 or 732 580 5215

vmckee@gcigar.com

FAVORABLE RULING FOR GENERAL CIGAR IN COHIBA TRADEMARK CASE

Richmond, VA—On July 14, 2010, the U.S. Court of Appeals for the Second Circuit ruled in favor of General Cigar in the latest round of litigation in the Cohiba® trademark case, affirming that General Cigar is the rightful owner of the Cohiba trademark in the U.S.

According to Dan Carr, chief operating officer of General Cigar, "The Second Circuit court's ruling upholds what we have always believed since we first filed a U.S. application to register the COHIBA trademark in 1978: that General Cigar is the rightful owner of Cohiba in the U.S. We continue to remain confident that our exclusive right to the Cohiba cigar brand in the U.S. will be upheld even if Cubatabaco attempts further legal efforts to challenge these rights."

The appeals court concluded that Cuban-government-owned Cubatabaco's argument that a change in a law justified re-opening this case was "without merit" and restored the U.S. Court of Appeals' ruling in 2005 in favor of General Cigar over Cubatabaco.

In various court opinions beginning in late 2008 and into early 2010, the U.S. District Court for the Southern District of New York ruled that there were changes to New York State Unfair Competition law that provided Cubatabaco the basis to re-open this case. Yesterday's Appeals Court decision overturned the lower court's rulings.

Cubatabaco first filed suit against General Cigar in 1997, claiming rights to the Cohiba name in the United States under U.S. law, although Cubatabaco had failed to take any legal action against General Cigar for nearly 20 years.

About General Cigar

General Cigar Co. Inc. manufactures and markets handcrafted cigars for the premium market. Committed to delivering cigars of the finest quality, General Cigar also produces Macanudo®, Cohiba®, Partagas, Hoyo de Monterrey, Excalibur®, La Gloria Cubana and several other leading premium brands. In addition, the company grows its own premium Connecticut Shade wrapper tobacco, as well as natural and candela wrapper in the Dominican Republic. General Cigar also operates Club Macanudo®, a cigar bar in New York City. Based in Richmond, VA, General Cigar sells through tobacconists nationwide. For more information, please visit www.cigarworld.com.

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#



December 16, 2009

Dear Valued Customer:

As you are aware, General Cigar has been in litigation with Cubatabaco for more than a decade regarding our trademark ownership of the Cohiba brand in the U.S. Several years ago, a federal court of appeals ruled that we are the rightful owner of the Cohiba trademark in the US. The Supreme Court of the United States subsequently refused to hear Cubatabaco's request to review that ruling.

Even still, a federal district court in New York recently ruled that, despite our ownership of the Cohiba brand in the U.S., Cubatabaco is entitled to an injunction against us on the theory that General Cigar's sales and marketing of the Cohiba brand violates a New York state law which addresses unfair competition.

Cubatabaco requested the federal district court judge to enter an order to stop General Cigar from selling Cohiba cigars in the US, even though General Cigar is the rightful trademark owner. This past Monday, the federal district court judge entered an order granting Cubatabaco's request. However, in the same order, the federal district court judge determined that General Cigar can continue selling its Cohiba brand while an appeal is being filed. The judge also noted that General Cigar has a substantial probability of winning on appeal.

Together with our legal counsel, we will appeal to the same federal court of appeals that previously ruled we are the rightful owner of the Cohiba trademark. We are confident that we will prevail on appeal.

No action is required on your part, and you are fully permitted to continue selling our Cohiba brand to your customers. We appreciate your continued support of the Cohiba brand, and will apprise you as soon as we have any additional information.

Yours truly,

Daniel S. Carr
Chief Operating officer



For Immediate Release

July 15, 2010

Contact: Victoria McKee Jaworski

General Cigar Co. Inc.

732 721 0317 or 732 580 5215

vmckee@gcigar.com

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Together with our legal counsel, we will appeal to the same federal court of appeals that previously ruled we are the rightful owner of the Cohiba trademark. We are confident that we will prevail on appeal.

No action is required on your part, and you are fully permitted to continue selling our Cohiba brand to your customers. We appreciate your continued support of the Cohiba brand, and will apprise you as soon as we have any additional information.

Yours truly,

Daniel S. Carr
Chief Operating officer



GENERAL CIGAR PREVAILS OVER CUBATABACO IN TRADEMARK DISPUTE

Richmond, VA--General Cigar was recently vindicated by the courts again in the nearly 16 year old legal battle waged by Cubatabaco to determine rightful ownership of the Cohiba® trademark in the United States. After losing its legal battle in the Second Circuit, Cubatabaco continued to exhaust all available legal channels by bringing this matter before the United States Trademark Trial and Appeal Board ("TTAB").

The TTAB granted General Cigar's motion for summary judgment, and dismissed with prejudice Cubatabaco's petition to cancel General Cigar's Cohiba registrations. The TTAB ruled that because the federal courts have held that Cubatabaco may not sell Cohiba cigars in the U.S. or acquire any interest in the Cohiba mark, Cubatabaco lacks any property interest in the Cohiba mark. Cubatabaco therefore has no standing to challenge General Cigar's registrations of the Cohiba mark.

General Cigar's President Dan Carr said, "This ruling once again affirms what we have believed all along: That Cubatabaco has no merit in challenging General Cigar's ownership of the Cohiba trademark in the United States."

General Cigar received its first registration of the Cohiba trademark in the U.S. in 1981, and again in 1992. The company has sold its Dominican Cohiba cigar in the U.S. since the early 1980s.

About Cohiba Cigars

True cigar connoisseurs recognize Dominican Cohiba cigars as one of the finest brands available in the U.S. market. Critically acclaimed for their meticulous construction and refined taste, the core brand of Cohiba cigars is complemented by these premium collections: Cohiba Black, Cohiba XV, Cohiba Puro Dominicana and Cohiba Edición Diamante.

® Cohiba is a registered trademark of General Cigar Company.

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For Immediate Release

July 15, 2010

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FAVORABLE RULING FOR GENERAL CIGAR IN COHIBA TRADEMARK CASE

Richmond, VA—On July 14, 2010, the U.S. Court of Appeals for the Second Circuit ruled in favor of General Cigar in the latest round of litigation in the Cohiba® trademark case, affirming that General Cigar is the rightful owner of the Cohiba trademark in the U.S.

According to Dan Carr, chief operating officer of General Cigar, "The Second Circuit court's ruling upholds what we have always believed since we first filed a U.S. application to register the COHIBA trademark in 1978: that General Cigar is the rightful owner of Cohiba in the U.S. We continue to remain confident that our exclusive right to the Cohiba cigar brand in the U.S. will be upheld even if Cubatabaco attempts further legal efforts to challenge these rights."

The appeals court concluded that Cuban-government-owned Cubatabaco's argument that a change in a law justified re-opening this case was "without merit" and restored the U.S. Court of Appeals' ruling in 2005 in favor of General Cigar over Cubatabaco.

In various court opinions beginning in late 2008 and into early 2010, the U.S. District Court for the Southern District of New York ruled that there were changes to New York State Unfair Competition law that provided Cubatabaco the basis to re-open this case. Yesterday's Appeals Court decision overturned the lower court's rulings.

Cubatabaco first filed suit against General Cigar in 1997, claiming rights to the Cohiba name in the United States under U.S. law, although Cubatabaco had failed to take any legal action against General Cigar for nearly 20 years.

About General Cigar

General Cigar Co. Inc. manufactures and markets handcrafted cigars for the premium market. Committed to delivering cigars of the finest quality, General Cigar also produces Macanudo®, Cohiba®, Partagas, Hoyo de Monterrey, Excalibur®, La Gloria Cubana and several other leading premium brands. In addition, the company grows its own premium Connecticut Shade wrapper tobacco, as well as natural and candela wrapper in the Dominican Republic. General Cigar also operates Club Macanudo®, a cigar bar in New York City. Based in Richmond, VA, General Cigar sells through tobacconists nationwide. For more information, please visit www.cigarworld.com.

® Cohiba, Macanudo, Punch, Partagas, Hoyo de Monterrey, La Gloria Cubana, Excalibur and Club Macanudo are registered trademarks of General Cigar Co. Inc.

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Cohiba vs. Cohiba—General Wins Another Round

By Gregory Mottola (/author/show/id/393)

Posted March 28, 2013

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General Cigar Co. has just won another battle in the contentious trademark war over the Cohiba brand.

After a nearly 16 year legal feud, the Cohiba case went before the United States Trademark Trial and Appeal Board (TTAB) on March 14. According to a press release issued by General Cigar, Cubatabaco (owner of the Cuban Cohiba trademark) petitioned the TTAB to cancel General's use of the Cohiba brand name in the United States. The petition was dismissed.

"The TTAB ruled that because the federal courts have held that Cubatabaco may not sell Cohiba cigars in the U.S. or acquire any interest in the Cohiba mark, Cubatabaco lacks any property interest in the Cohiba mark," the press release said.

The dismissal is another blow for Cubatabaco, which lost a previous judgment handed down by a Manhattan appeals court in 2010 (/webfeatures/show/id/3941). "This ruling once again affirms what we have believed all along: That Cubatabaco has no merit in challenging General's ownership of the Cohiba trademark in the United States," said General's president Dan Carr.

Cigar Aficionado spoke briefly to Cubatabaco's legal team and to Cuban cigar distributor Habanos S.A. for further remarks, but both declined comment.

Cohiba cigars were first created in Cuba after that country's revolution and the Cuban version has never been legally sold in the United States due to the U.S. embargo on Cuba. General Cigar registered the trademark in the U.S. in 1981 and has been selling a Dominican-made version of Cohiba since the 1980s. The litigation started in 1997, however, when General Cigar began nationally marketing products with the Cohiba name. Cubatabaco and General Cigar have been embroiled in the fight over Cohiba ever since.

This is a developing story. Look for more coverage at www.cigaraficionado.com.

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Dan Leptitpede March 28, 2013 4:15pm ET

Who cares! Cuban Cohiba will always be > DR Cohiba!

Eric Schwenk March 28, 2013 8:04pm ET

Dan, you couldn't be more on point about that. Cuban Cohibas are the most sought-after cigars in the world, while Dominican Cohibas are an average but overpriced knock-off. They charge \$15-20 for many of their cigars when you can get an Opus X or Padron Anniversario for the same price or less (or a Cuban

Cohiba, for that matter, if you find the right source). The litigation shouldn't hurt the Cubans because anyone who knows what he's doing would not mistake the Dominican for the Cuban version.

hang_ing_chad@hotmail.com March 28, 2013 10:56pm ET

It WAS a bit "cheesey" of General, jacking this brand name. But, whachagonnado? In the U.S., there is no real clash because both versions of the brand are not on the open market. I can see how there would be a problem in markets where both versions of product exist. Btw, are there any countries that sell both kinds of same-name brands: Cohiba, La Gloria Cubana, Partagas, Por Larranaga, Punch, San Cristobal, etc., etc.?

David Dodd Ashfield, NSW, Australia, March 29, 2013 2:01am ET

It would be too much to expect a US cigar company to act honorably over such a thing as this. Their target domestic market is the uninformed and overseas where both brands might be available, you can rest assured the US tourist buyer is looking for the real Cuban, not the cheesy knock-off.

frenk.kaljeila@gmail.com March 29, 2013 3:57am ET

This ruling will only have a real consequence for Cubatabaco when the embargo is lifted. However, that would drastically change the grounds of the ruling, that "that Cubatabaco may not sell Cohiba cigars in the U.S. or acquire any interest in the Cohiba mark."

What happens then? Does General Cigar still get to keep the trademark?

Kevin Shah Shah Alam, Selangor, Malaysia, March 29, 2013 4:09am ET

The story will continue when the embargo lifts. And I hope this time the real Cohiba will win. I mean, why can't General choose a different name instead of riding off the glory of the Cohiba name? Guess they lack creativity in their marketing department.

Crenshaw Dubois Bartow, FL, United States, March 29, 2013 8:02am ET

If Cubatobacco really wants to badly possess a U.S. Trademark, then can the Castro regime and return that country into a constitutional republic. Furthermore, Cuba, how does it feel for someone else to steal a piece of property you think you own? Apparently, this wasn't a problem with the Castro communist regime when it nationalizing thousands of private companies when it took over the country in 1959. One good turn deserves another.

Float Dub March 29, 2013 5:00pm ET

Crenshaw nailed it.

To hell with Cuba and its regime. And shame on CA for glorifying it for 20 years.

Cohiba is the second most counterfeited brand in the world after Louis Vuitton. I can't tell you how many times I've seen clowns with knock offs they got on their trip to the Caribbean or on their cruise say "this is the best smoke ever" as if they had a palate to know the difference.

If it's fake then that is money you could have spent on a cigar most likely made by someone forced to abandon their homeland and sold by an American businessman.

If you actually happen to get a real one then you are knowingly supporting a murderous dictatorship. Fools.

John Law Philadelphia, PA, USA, March 29, 2013 11:52pm ET

While it is ironic seeing the Cuban govt suing over a copyright, I find it funny people are so self righteous in condemning people who enjoy Cuban cigars. While the Castro regime is brutal, what about all the other brutal regimes we buy goods from, namely China. And as far as Cuba returning to a constitutional republic, that's something that's hardly existed. It's not as if the Batista govt that Castro overthrew was a legit, democratic regime.

Shad Bates Torrington, Wyoming, USA, March 30, 2013 12:36am ET

Nothing beats a Cuban Cohiba - personal favorite is Siglo III, followed closely by Robusto and then Siglo II. I smoke them, enjoy them and support only my desire to smoke more, not a murderous regime. And you know what? I shed not one tear while lighting one up!

Keep up the good work CA - supporting cigar smokers worldwide by providing meaningful, insightful and thorough coverage of all cigars.

Oh, one more thing - Float and Crenshaw, you need to be sure to stay away from all things made in China since you're denouncing anything that comes out of a county controlled by a 'murderous dictatorship.' Everyone hold hands and sing Kumbaya.....

Christian April 1, 2013 4:27pm ET

Now I'm no fancy NY lawyer but it seems to me that General Cigar will be busier than a centipede at a toe countin' contest when the embargo lifts and their crap smokes will stand next to Cuban Cohibas. I say this going to cause the people more confusion than a mouse in a burlesque show.

Alexandre De Faveri Botucatu, SP, Brazil, April 2, 2013 4:32pm ET

Hey, let's talk about "murderous countries" here, starting by the USA and all nonsense wars You were in...

About non Cuban cigars, these american companies, like this one above and Altadis, who counterfeited cuban brands like Cohiba, Montecristo, H.Upmann and othes jusk make me laugh. It's like I start producing Jack Daniel's here in Brazil. Is it gonna be the same stuff???? Noooo.

The only fooled ones in this story are the americans. Ohhh, I'm smoking a Montecristo made outside of Cuba. Hmmmmm, delicious!

Rudi de Groot CALGARY, AB, CANADA, April 2, 2013 6:11pm ET

Wow, this is a great thread!

Good new also for all those Cohiba shops in California! They can keep on plagiarizing the Cuban branding, selling Cohiba shirts with the Habanos SA wordmark on them :/

Ed Thesled April 2, 2013 6:23pm ET

How about this? Why doesn't General Cigar offer to stop using "Cohiba" if Cubatabaco/Habanos S.A. stops using all of the trademarks (and plantations, and factories, and equipment) that they stole back in 1961 from the real owners back in – you, know, like Montecristo, Romeo y Julieta, Bolivar, Partagas, Punch, etc., etc., etc.

Dan Leroux Laval, Quebec, Canada, April 2, 2013 11:08pm ET

General Cigar's is to Habanos SA what a Lada is to a Fiat, a poor man's copy at best. I always keep a few cheap machine made Macanudo or General Cigar's in my humidor and hand them out gladly to posers that come to my place. It's a great show, second to share with friends a few Partagas Culebras which is a decent smoke. Everybody look silly smoking a culebras,

It's a shame that CG can continue selling their garbage under the legendary Cohiba name. It's like putting a Rolls Royce sign on a Ford Fiesta and pretending it's refined!

Brian Auerbach Oakland, CA, USA, April 3, 2013 11:48am ET

Anti Castro fervor does not a trademark case make. The Cuban Cohiba trademark, as were many other Cuban cigar trademarks, was "lifted" in the spirit of anti-Castroism. General would not stand for the same if directed toward it. Just because you disagree with a government, doesn't mean you steal with impunity.

One thing is for sure: the DR Cohiba will never come close in quality to the Cuban Cohiba. At least we have that.

One more thing: CA does a very balanced job of coverage on Cuba. I generally don't like its overall slant—overt consumerism for the 1%, etc., but I have always been impressed by the coverage of Cuba. Keep it up Marvin. Maybe you get the first interview with the new president!

Timothy Hodge Aliquippa, PA, USA, April 3, 2013 12:08pm ET

Very shady ethics on behalf of General Cigar. I'm ashamed to admit that as a cigar noob, I knew nothing of this before reading this article. I fell right into General Cigar's trap by assuming the Cohiba AND Partagas lines were related those produced in Cuba. Shame on me!

Steve Bowman April 4, 2013 8:31pm ET

Other than Cohiba, which is a legitimately owned Cuban brand everywhere but the US, those Cuban brands (Punch, Partagas, etc.) were purchased from the rightful pre-revolution owners by General Cigar or a predecessor company.

Fidel "liberated" those brands for the benefit of his socialist state with no compensation to the rightful owners.

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